



[Billing Code 6355-01-P]

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Chapter II

[Docket No. CPSC-2011-0074]

Table Saw Blade Contact Injuries; Reopening of the Comment Period

AGENCY: U.S. Consumer Product Safety Commission.

ACTION: Comment request.

SUMMARY: The Consumer Product Safety Commission (“CPSC” or “Commission” or “we”) is considering whether a new performance safety standard is needed to address an unreasonable risk of injury associated with table saws. We are conducting this proceeding under the authority of the Consumer Product Safety Act (“CPSA”), 15 U.S.C. 2051–2084. In the *Federal Register* of October 11, 2011 (76 FR 62678), we published an advance notice of proposed rulemaking (“ANPR”), inviting written comments concerning the risk of injury associated with table saw blade contact, regulatory alternatives, other possible means to address this risk, and other topics or issues. In response to a request from the Power Tool Institute, Inc. (“PTI”), on December 2, 2011, we granted a 60-day extension of the comment period until February 10, 2012 (76 FR 75504). PTI has requested an additional 30-day extension of the comment period and we are reopening the comment period for 30 days.¹

¹ The Commission voted 3-1 to publish this notice in the *Federal Register*. Chairman Inez M. Tenenbaum, Commissioner Nancy A. Nord, and Commissioner Anne M. Northup voted to grant the request for an extension and to direct the staff to issue a notice in the *Federal Register*. Commissioner Robert S. Adler voted to deny the request. Commissioner Adler issued a statement. The web address for Commissioner Adler’s statement is: <http://www.cpsc.gov/pr/statements.html>.

DATES: Submit comments by [insert date 30 days after date of publication in the Federal Register].

ADDRESSES: You may submit comments, identified by Docket No. CPSC-2011-0074, by any of the following methods:

Electronic Submissions

Submit electronic comments in the following way:

Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the instructions for submitting comments.

To ensure timely processing of comments, the Commission is no longer accepting comments submitted by electronic mail (e-mail), except through:

<http://www.regulations.gov>.

Written Submissions

Submit written submissions in the following way:

Mail/Hand delivery/Courier (for paper, disk, or CD-ROM submissions), preferably in five copies, to: Office of the Secretary, U.S. Consumer Product Safety Commission, Room 502, 4330 East West Highway, Bethesda, MD 20814; telephone (301) 504-7923.

Instructions: All submissions received must include the agency name and petition number for this rulemaking. All comments received may be posted without change, including any personal identifiers, contact information, or other personal information provided, to: <http://www.regulations.gov>. Do not submit confidential business information, trade secret information, or other sensitive or protected information electronically. Such information should be submitted in writing.

Docket: For access to the docket to read background documents or comments received, go to: <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Caroleene Paul, Directorate for Engineering Sciences, U.S. Consumer Product Safety Commission, 5 Research Place, Rockville, MD 20850; telephone (301) 987-2225; fax (301) 869-0294; e-mail: cpaul@cpsc.gov.

SUPPLEMENTARY INFORMATION: On April 15, 2003, Stephen Gass, David Fanning, and James Fulmer, et al. (“petitioners”) requested that we require performance standards for a system to reduce or prevent injuries from contact with the blade of a table saw. The petitioners cited estimates of 30,000 annual injuries involving table saws, with approximately 90 percent of the injuries occurring to the fingers and hands, and 10 percent of the injuries resulting in amputation. The petitioners alleged that current table saws pose an unacceptable risk of severe injury because they are inherently dangerous and lack an adequate safety system to protect the user from accidental contact with the blade.

In the *Federal Register* of July 9, 2003 (68 FR 40912) and September 5, 2003 (68 FR 52753), we invited comments on the issues raised by the petition (Petition No. CP03-2). We received 69 comments. CPSC staff’s initial briefing package regarding the petition is available on the CPSC website at:

<http://www.cpsc.gov/library/foia/foia06/brief/tablesaw.pdf>. On July 11, 2006, the Commission voted (2–1) to grant the petition and directed CPSC staff to draft an ANPR. On July 15, 2006, the Commission lost its quorum and was unable to move forward with publication of an ANPR at that time. However, CPSC staff continued to evaluate table

saws and initiated a special study from January 2007 to December 2008, to gather more accurate estimates on table saw injuries and hazard patterns related to table saw injuries. Based on CPSC staff's updated information on blade contact injuries associated with table saw use and CPSC staff's evaluation of current technologies on table saws, we issued an ANPR on table saw blade contact injuries in the *Federal Register* of October 11, 2011 (76 FR 62678). CPSC staff also updated its briefing package, which supplements the initial briefing package, and the updated briefing package is available on the CPSC website at: <http://www.cpsc.gov/library/foia/foia11/brief/tablesaw.pdf>.

The ANPR contained information describing the product, the market for table saws, the incident data, economic considerations, existing standards, and regulatory alternatives (76 FR at 62679 through 62683). The ANPR identified three regulatory alternatives: (1) a voluntary standard addressing risks associated with table saw blade contact injuries; (2) a mandatory rule establishing performance requirements that would address table saw blade contact injuries; or (3) a labeling rule requiring specified warnings and instructions to address table saw blade contact injuries (76 FR at 62683). The ANPR also invited comment on 25 topics or issues. For the reader's convenience, we list those topics or issues here:

1. written comments with respect to the risk of injury identified by the Commission, the regulatory alternatives being considered, and other possible alternatives for addressing the risk;
2. any existing standard or portion of a standard that could be issued as a proposed regulation;

3. a statement of intention to modify or develop a voluntary standard to address the risk of injury discussed in this notice, along with a description of a plan (including a schedule) to do so;
4. studies, tests, or surveys that have been performed to analyze table saw blade contact injuries, severity of injuries, and costs associated with the injuries;
5. studies, tests, or surveys that analyze table saw use in relation to approach/feed rates, kickback, and blade guard use and effectiveness;
6. studies, tests, or descriptions of new technologies, or new applications of existing technologies that can address blade contact injuries, and estimates of costs associated with incorporation of new technologies or applications;
7. estimated manufacturing cost, per table saw, of new technologies or applications that can address blade contact injuries;
8. expected impact of technologies that can address blade contact injuries on wholesale and retail prices of table saws;
9. expected impact of technologies that can address blade contact injuries on utility and convenience of use;
10. information on effectiveness or user acceptance of new blade guard designs;
11. information on manufacturing costs of new blade guard designs;
12. information on usage rates of new blade guard designs;
13. information on U.S shipments of table saws prior to 2002, and between 2003 and 2005;
14. information on differences between portable bench saws, contractor saws, and cabinet saws in frequency and duration of use;

15. information on differences between saws used by consumers, saws used by schools, and saws used commercially—in frequency and duration of use;
16. studies, research, or data on entry information of materials being cut at blade contact (*i.e.*, approach angle, approach speed, and approach force);
17. information that supports or disputes preliminary economic analyses on the cost of employing technologies that reduce blade contact injuries on table saws;
18. studies, research, or data on appropriate indicators of performance for blade-to-skin requirements that mitigate injury;
19. studies, research, or data that validates human finger proxies for skin-to-blade tests;
20. studies, research, or data on detection/reaction systems that have been employed to mitigate blade contact injuries;
21. studies, research, or data on the technical challenges associated with developing new systems that could be employed to mitigate blade contact injuries;
22. studies, research, or data on guarding systems that have been employed to prevent or mitigate blade contact injuries;
23. studies, research, or data on kickback of a work piece during table saw use;
24. the costs and benefits of mandating a labeling or instructions requirement; and
25. other relevant information regarding the addressability of blade contact injuries.

The ANPR requested comments by December 12, 2011.

On November 3, 2011, the Power Tool Institute, Inc. (“PTI”) requested a 60-day extension of the comment period. We granted their request and, in the *Federal Register* of December 2, 2011 (76 FR 75504), we extended the comment period to February 10, 2012.

On February 1, 2012, PTI requested another 30-day extension in order for PTI to review Freedom of Information Act requests submitted to the CPSC. On February 8, 2012, the Commission voted (3–1) to grant the request. Through this notice, we are reopening the comment period to give all interested parties additional time to prepare their responses to the ANPR. Thus, the comment period for the ANPR is reopened until [insert date 30 days after date of publication in the *Federal Register*].

Dated: February 10, 2012.

Todd A. Stevenson,
Secretary, U.S. Consumer Product Safety
Commission.

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